



January 29, 2016

SENATE BILL No. 295

DIGEST OF SB 295 (Updated January 28, 2016 12:13 pm - DI 73)

Citations Affected: IC 10-17.

Synopsis: Military family relief fund. Amends the definition of "qualified service member" for purposes of the military family relief fund to mean an individual who is an Indiana resident and either: (1) a member of the armed forces of the United States or the national guard serving on or has served on active duty during a time of national conflict or war; or (2) served on active duty during a time of national conflict or war in the armed forces of the United States or the national guard and received an honorable discharge. Amends the purpose of the military family relief fund to provide only for short term financial assistance to families of qualified service members for hardships that result from the qualified service members' military service. Specifies that the assistance from the military family relief fund may include an emergency one time grant. Provides that the Indiana veterans' affairs
(Continued next page)

Effective: July 1, 2016.

**Banks, Hershman, Buck, Arnold J,
Merritt, Alting, Broden, Charbonneau**

January 7, 2016, read first time and referred to Committee on Veterans Affairs & The Military.

January 19, 2016, reported favorably — Do Pass; reassigned to Committee on Appropriations.

January 28, 2016, amended, reported favorably — Do Pass.

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Digest Continued

commission (commission) shall adopt income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided from the military family relief fund. Provides that the commission's rules must provide for a consideration of the extent to which an individual has used assistance available from other assistance programs before assistance may be provided to the individual from the military family relief fund. Specifies that the veterans' affairs trust fund is considered a trust fund for purposes of the statute prohibiting the state board of finance from transferring money from a trust fund. Provides that if the balance in the veterans' affairs trust fund at the end of a state fiscal year is greater than \$10,000,000, the amount of earnings in that state fiscal year from money in the fund shall be transferred on July 1 of the following state fiscal year to the military family relief fund.



January 29, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 295

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-17-12-0.7, AS AMENDED BY P.L.169-2013,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 0.7. ~~(a)~~ The purpose of the fund established in
4 section 8 of this chapter is to provide
5 ~~(1)~~ short term financial assistance, **including emergency one (1)**
6 **time grants**, to families of qualified service members for
7 hardships that result from the qualified service members' **active**
8 **duty military** service. **and**
9 ~~(2)~~ funding for:
10 ~~(A)~~ grants for reimbursement for training; and
11 ~~(B)~~ the purchase of computer equipment and software;
12 for county and city veterans' service officers.
13 ~~(b)~~ Funding for the purposes described in subsection ~~(a)~~(2) must be
14 provided from the amount transferred to the fund under section 13 of
15 this chapter.
16 SECTION 2. IC 10-17-12-1 IS REPEALED [EFFECTIVE JULY 1,
17 2016]. Sec. 1. As used in this chapter, "active duty" means full-time

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1 service in the:

2 (1) armed forces; or

3 (2) National Guard;

4 for a period that exceeds thirty (30) consecutive days.

5 SECTION 3. IC 10-17-12-7.5, AS ADDED BY P.L.50-2009,
6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2016]: Sec. 7.5. As used in this chapter, "qualified service
8 member" means an individual who is **an Indiana resident and who:**

9 (1) an Indiana resident;

10 (2) a member of:

11 (A) the armed forces; or

12 (B) the National Guard; and

13 (3) serving on active duty:

14 (A) after September 11, 2001; and

15 (B) during a time of national conflict or war.

16 (1) is:

17 (A) a member of the armed forces of the United States or
18 the national guard (as defined in IC 5-9-4-4); and

19 (B) serving on or has served on active duty during a time
20 of national conflict or war; or

21 (2) has:

22 (A) served on active duty during a time of national conflict
23 or war in:

24 (i) the armed forces of the United States; or

25 (ii) the national guard (as defined in IC 5-9-4-4); and

26 (B) received an honorable discharge.

27 SECTION 4. IC 10-17-12-8, AS AMENDED BY P.L.7-2014,
28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2016]: Sec. 8. (a) The military family relief fund is established
30 to provide **short term** assistance with food, housing, utilities, medical
31 services, basic transportation, child care, education, employment or
32 workforce, and other essential family support expenses that have
33 become difficult to afford for qualified service members or dependents
34 of qualified service members. ~~The fund may also be used to provide for~~
35 ~~grants for reimbursement for training and for computer equipment and~~
36 ~~software for county and city veterans' service officers.~~

37 (b) Except as provided in section 9 of this chapter, the commission
38 shall expend the money in the fund exclusively to provide grants for
39 assistance as described in subsection (a).

40 (c) The commission shall give priority to applications for grants for
41 assistance from the fund to qualified service members or dependents
42 of qualified service members who have never received a grant under



1 this chapter.

2 (d) Subject to the approval of the budget agency, the commission
3 shall establish the maximum total dollar amount of grants that may be
4 expended in a state fiscal year. Once the maximum total dollar amount
5 of grants that may be expended in a state fiscal year is reached, no
6 additional grants may be authorized until the start of the following state
7 fiscal year.

8 (e) The director shall each year provide a report to the budget
9 committee concerning the grant program under this chapter.

10 (f) A qualified service member or the qualified service member's
11 dependent may be eligible to receive assistance from the fund.

12 (g) The commission shall administer the fund.

13 SECTION 5. IC 10-17-12-10, AS AMENDED BY P.L.113-2010,
14 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2016]: Sec. 10. The commission ~~may~~ **shall** adopt rules under
16 IC 4-22-2 for the provision of grants under this chapter. The rules
17 addressed under this section must address the following:

- 18 (1) Uniform need determination procedures.
- 19 (2) Eligibility criteria, **including income eligibility standards,**
20 **asset limit eligibility standards, and other standards**
21 **concerning when assistance may be provided.**
- 22 (3) Application procedures.
- 23 (4) Selection procedures.
- 24 (5) ~~Coordination with~~ **A consideration of the extent to which an**
25 **individual has used assistance available from** other assistance
26 **programs before assistance may be provided to the individual**
27 **from the fund.**
- 28 (6) Other areas in which the department determines that rules are
29 necessary to ensure the uniform administration of the grant
30 program under this chapter.

31 SECTION 6. IC 10-17-12-13 IS REPEALED [EFFECTIVE JULY
32 1, 2016]. Sec. 13: (a) ~~The commission shall transfer one hundred eighty~~
33 ~~thousand dollars (\$180,000) from the veterans' affairs trust fund~~
34 ~~established by IC 10-17-13-3 to the fund.~~

35 (b) ~~There is appropriated to the commission one hundred eighty~~
36 ~~thousand dollars (\$180,000) from the fund for:~~

- 37 (1) ~~grants for training county and city veterans' service officers~~
38 ~~under IC 10-17-1-10; and~~
- 39 (2) ~~the purchase of computer equipment and software to be used~~
40 ~~by the city and county veterans' service officers.~~

41 (c) ~~A county or city veterans' service officer may receive a grant for~~
42 ~~reimbursement for training expenses associated with service officer~~



1 training, including travel and incidental expenses of eligible county and
 2 city veterans' service officers seeking initial or renewal service officer
 3 accreditation. A county or city veterans' service officer may receive a
 4 grant under this subsection in an amount not to exceed five hundred
 5 dollars (\$500) for reimbursement. The commission shall set standards
 6 for the reimbursement grants. A county or city veterans' service officer
 7 may apply to the commission for a reimbursement grant, and the
 8 commission may make a grant based on the commission's review of an
 9 application.

10 (d) A county or city that employs a veterans' service officer may
 11 receive a grant, in an amount not to exceed one thousand two hundred
 12 dollars (\$1,200), for reimbursement for computer equipment and
 13 software to enable the veterans' service officer to access national data
 14 bases for benefits for veterans. The commission shall set standards for
 15 the review of grants for the purchase of computer equipment and
 16 software under this subsection. A county or city may apply to the
 17 commission for a grant for reimbursement for the purchase of computer
 18 equipment and software, and the commission may make a grant based
 19 on the commission's review of an application.

20 SECTION 7. IC 10-17-13-3, AS AMENDED BY P.L.50-2009,
 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2016]: Sec. 3. (a) The veterans' affairs trust fund is established
 23 as a **trust fund** to provide a self-sustaining funding source for the
 24 military family relief fund established by IC 10-17-12-8.

25 (b) The fund consists of the following:

- 26 (1) Appropriations by the general assembly.
- 27 (2) Donations, gifts, grants, and bequests to the fund.
- 28 (3) Interest and dividends on assets of the funds.
- 29 (4) Money transferred to the fund from other funds.
- 30 (5) Money from any other source deposited in the fund.

31 (c) **The fund is considered a trust fund for purposes of**
 32 **IC 4-9.1-1-7.**

33 SECTION 8. IC 10-17-13-12, AS ADDED BY P.L.144-2007,
 34 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2016]: Sec. 12. Money in the fund at the end of a state fiscal
 36 year does not revert to the state general fund or any other fund.
 37 **However, if the balance in the fund at the end of a state fiscal year**
 38 **is greater than ten million dollars (\$10,000,000), the amount of**
 39 **earnings in that state fiscal year from money in the fund shall be**
 40 **transferred on July 1 of the following state fiscal year to the**
 41 **military family relief fund established by IC 10-17-12-8.**



COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill No. 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 295 as introduced.)

BANKS, Chairperson

Committee Vote: Yeas 7, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, after "assistance" insert ", **including emergency one (1) time grants,**".

Page 2, line 29, after "provide" insert "**short term**".

Page 3, between lines 11 and 12, begin a new paragraph and insert: "SECTION 5. IC 10-17-12-10, AS AMENDED BY P.L.113-2010, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. The commission ~~may~~ **shall** adopt rules under IC 4-22-2 for the provision of grants under this chapter. The rules adopted under this section must address the following:

- (1) Uniform need determination procedures.
- (2) Eligibility criteria, **including income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided.**
- (3) Application procedures.
- (4) Selection procedures.
- (5) ~~Coordination with~~ **A consideration of the extent to which an individual has used assistance available from other assistance programs before assistance may be provided to the individual from the fund.**
- (6) Other areas in which the department determines that rules are necessary to ensure the uniform administration of the grant program under this chapter."

Page 3, after line 42, begin a new paragraph and insert:

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"SECTION 7. IC 10-17-13-3, AS AMENDED BY P.L.50-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The veterans' affairs trust fund is established **as a trust fund** to provide a self-sustaining funding source for the military family relief fund established by IC 10-17-12-8.

(b) The fund consists of the following:

- (1) Appropriations by the general assembly.
- (2) Donations, gifts, grants, and bequests to the fund.
- (3) Interest and dividends on assets of the funds.
- (4) Money transferred to the fund from other funds.
- (5) Money from any other source deposited in the fund.

(c) The fund is considered a trust fund for purposes of IC 4-9.1-1-7.

SECTION 8. IC 10-17-13-12, AS ADDED BY P.L.144-2007, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 12. Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund. **However, if the balance in the fund at the end of a state fiscal year is greater than ten million dollars (\$10,000,000), the amount of earnings in that state fiscal year from money in the fund shall be transferred on July 1 of the following state fiscal year to the military family relief fund established by IC 10-17-12-8."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 295 as printed January 20, 2016.)

KENLEY, Chairperson

Committee Vote: Yeas 13, Nays 0.

